



Attorney Docket No. 9353.8RE

PATENT

*JFW*  
*dh*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Vince D'Amelio et al.  
Application No.: 10/706,668  
Filed: November 12, 2003  
For: *Processes for Packaging Case Ready Meat Products*

Confirmation No.: 8850  
Group Art Unit: 3651  
Examiner: Khoi H. Tran

Date: April 20, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

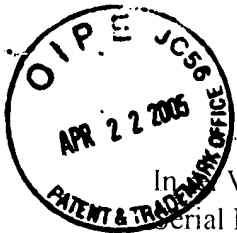
**INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 C.F.R. § 1.97(b)**

Sir:

Attached is a list of documents on Form PTO-1449, together with a copy of any listed foreign patent document and/or non-patent literature. A copy of any listed U.S. patent and/or U.S. patent application publication is not provided herewith in accordance with the amendment by the U.S. Patent and Trademark Office to 37 C.F.R. § 1.98(a)(2)(ii) effective October 21, 2004.

This Information Disclosure Statement is submitted with documents subject to protective order, in accordance with MPEP § 724.02. The protected documents are designated on the Form PTO-1449 with the designation "FILED UNDER SEAL." In accordance with 37 C.F.R. § 1.59(b), it is requested that these protected documents be expunged if found by the examiner to be not important in deciding whether to allow the application to issue as a patent.

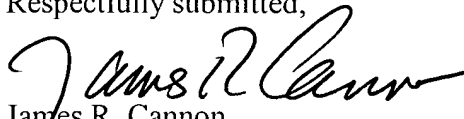
In accordance with the requirements of 37 C.F.R. § 1.59(b), a check for the \$130 fee specified in 37 C.F.R. § 1.17(h) is included. This fee is believed to be correct, however, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.



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Serial No.: 10/706,668  
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It is requested that these documents be considered by the Examiner and officially made of record in accordance with the provisions of 37 C.F.R. §1.56 and Section 609 of the MPEP.

Respectfully submitted,

  
James R. Cannon  
Registration No. 35,839

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**Certificate of Mailing under 37 CFR § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 20, 2005.

  
Sheena L. Donnelly

Substitute form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet of 3

**Complete if Known**

Application Number	10/706,668
Filing Date	November 12, 2003
First Named Inventor	Vince D'Amelio
Group Art Unit	3651
Examiner Name	Khoi H. Tran
Attorney Docket Number	9353.8RE

**U.S. PATENTS AND PATENT PUBLICATIONS**

Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
		US-			
		US-			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation
		Office	Number	Kind Code (if known)			

**OTHER NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T
	1.	The United States District Court for the Northern District of Georgia Atlanta Division, "Order" entered October 26, 2004 in the case of Clear-Lam Packaging, Inc. vs. Rock-Tenn Company Civil Action No. 1:03-CV-2706-JTC	
	2.	The United States District Court for the Northern District of Georgia Atlanta Division, "Judgment" entered March 30, 2005 in the case of Rock-Tenn Company vs. Cryovac, Inc., C&M Fine Pack, Inc., and Anchor Packaging, Inc. Civil Action Nos. 1:02-CV-2437-JTC, 1:02-CV-2438-JTC, and 1:02-CV-3080-JTC	
	3.	The United States District Court for the Northern District of Georgia Atlanta Division, "Order" entered March 30, 2005 in the case of Rock-Tenn Company vs. Cryovac, Inc., C&M Fine Pack, Inc., and Anchor Packaging, Inc. Civil Action Nos. 1:02-CV-2437-JTC, 1:02-CV-2438-JTC, and 1:02-CV-3080-JTC	
	4.	The United States District Court for the Northern District of Georgia Atlanta Division, "Defendants' Motion for Summary Judgment on Patent Invalidity" submitted November 5, 2003 in the case of Rock-Tenn Company vs. Cryovac, Inc., C&M Fine Pack, Inc., Pactiv Corporation, and Anchor Packaging, Inc. Civil Action Nos. 1:02-CV-2437-JTC, 1:02-CV-2438-JTC, 1:02-CV-2800-JTC, and 1:02-CV-3080-JTC	
	5.	The United States District Court for the Northern District of Georgia Atlanta Division, "Memorandum in Support of Defendants' Motion for Summary Judgments on Patent Invalidity" submitted November 5, 2003 in the case of Rock-Tenn Company vs. Cryovac, Inc., C&M Fine Pack, Inc., Pactiv Corporation, and Anchor Packaging, Inc. Civil Action Nos. 1:02-CV-2437-JTC, 1:02-CV-2438-JTC, 1:02-CV-2800-JTC, and 1:02-CV-3080-JTC	
	6.	The United States District Court for the Northern District of Georgia Atlanta Division, "Declaration of James J. Sanfilippo" given on November 3, 2003 in the case of Rock-Tenn Company vs. Cryovac, Inc., C&M Fine Pack, Inc., Pactiv Corporation, and Anchor Packaging, Inc. Civil Action Nos. 1:02-CV-2437-JTC, 1:02-CV-2438-JTC, 1:02-CV-2800-JTC, and 1:02-CV-3080-JTC	
	7.	The United States District Court for the Northern District of Georgia Atlanta Division, "Rock-Tenn's Memorandum of Law in Opposition to Defendants' and Clear Lam's Motion for Summary Judgment on Patent Invalidity" filed May 19, 2004 in the case of Rock-Tenn Company vs. Cryovac, Inc., C&M Fine Pack, Inc., and Anchor Packaging, Inc. Civil Action Nos. 1:02-CV-2437-JTC, 1:02-CV-2438-JTC, and 1:02-CV-3080-JTC, and in the case of Clear-Lam Packaging vs. Rock-Tenn Company, Civil Action No. 1:03-CV-2706-JTD <b>FILED UNDER SEAL</b>	
	8.	The United States District Court for the Northern District of Georgia Atlanta Division, "Rock-Tenn's Statement of Disputed Facts" filed May 19, 2004 in the case of Rock-Tenn Company vs. Cryovac, Inc.,	

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				Application Number	10/706,668
				Filing Date	November 12, 2003
				First Named Inventor	Vince D'Amelio
				Group Art Unit	3651
				Examiner Name	Khoi H. Tran
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		C&M Fine Pack, Inc., and Anchor Packaging, Inc. Civil Action Nos. 1:02-CV-2437-JTC, 1:02-CV-2438-JTC, and 1:02-CV-3080-JTC, and in the case of Clear-Lam Packaging vs. Rock-Tenn Company, Civil Action No. 1:03-CV-2706-JTD <b>FILED UNDER SEAL</b>	
	9.	The United States District Court for the Northern District of Georgia Atlanta Division, "Declaration of Roger Sheehy" given April 9, 2004 in the case of Rock-Tenn Company vs. Cryovac, Inc., C&M Fine Pack, Inc., and Anchor Packaging, Inc. Civil Action Nos. 1:02-CV-2437-JTC, 1:02-CV-2438-JTC, and 1:02-CV-3080-JTC, and in the case of Clear-Lam Packaging vs. Rock-Tenn Company, Civil Action No. 1:03-CV-2706-JTD	
	10.	The United States District Court for the Northern District of Georgia Atlanta Division, "Declaration of Kaye Wilgus" given March 19, 2004 in the case of Rock-Tenn Company vs. Cryovac, Inc., C&M Fine Pack, Inc., and Anchor Packaging, Inc. Civil Action Nos. 1:02-CV-2437-JTC, 1:02-CV-2438-JTC, and 1:02-CV-3080-JTC, and in the case of Clear-Lam Packaging vs. Rock-Tenn Company, Civil Action No. 1:03-CV-2706-JTD	
	11.	The United States District Court for the Northern District of Georgia Atlanta Division, "Declaration of Steven L. Petersen" given April 2, 2004 in the case of Rock-Tenn Company vs. Cryovac, Inc., C&M Fine Pack, Inc., and Anchor Packaging, Inc. Civil Action Nos. 1:02-CV-2437-JTC, 1:02-CV-2438-JTC, and 1:02-CV-3080-JTC, and in the case of Clear-Lam Packaging vs. Rock-Tenn Company, Civil Action No. 1:03-CV-2706-JTD	
	12.	The United States District Court for the Northern District of Georgia Atlanta Division, "Declaration of Vince D'Amelio" given May 18, 2004 in the case of Rock-Tenn Company vs. Cryovac, Inc., C&M Fine Pack, Inc., and Anchor Packaging, Inc. Civil Action Nos. 1:02-CV-2437-JTC, 1:02-CV-2438-JTC, and 1:02-CV-3080-JTC, and in the case of Clear-Lam Packaging vs. Rock-Tenn Company, Civil Action No. 1:03-CV-2706-JTD	
	13.	The United States District Court for the Northern District of Georgia Atlanta Division, "Declaration of Leonard Zwanziger" given May 3, 2004 in the case of Rock-Tenn Company vs. Cryovac, Inc., C&M Fine Pack, Inc., and Anchor Packaging, Inc. Civil Action Nos. 1:02-CV-2437-JTC, 1:02-CV-2438-JTC, and 1:02-CV-3080-JTC, and in the case of Clear-Lam Packaging vs. Rock-Tenn Company, Civil Action No. 1:03-CV-2706-JTD <b>FILED UNDER SEAL</b>	
	14.	The United States District Court for the Northern District of Georgia Atlanta Division, "Declaration of David Miller" given April 21, 2004 in the case of Rock-Tenn Company vs. Cryovac, Inc., C&M Fine Pack, Inc., and Anchor Packaging, Inc. Civil Action Nos. 1:02-CV-2437-JTC, 1:02-CV-2438-JTC, and 1:02-CV-3080-JTC, and in the case of Clear-Lam Packaging vs. Rock-Tenn Company, Civil Action No. 1:03-CV-2706-JTD <b>FILED UNDER SEAL</b>	
	15.	The United States District Court for the Northern District of Georgia Atlanta Division, "Declaration of Michael Ripper" given April 20, 2004 in the case of Rock-Tenn Company vs. Cryovac, Inc., C&M Fine Pack, Inc., and Anchor Packaging, Inc. Civil Action Nos. 1:02-CV-2437-JTC, 1:02-CV-2438-JTC, and 1:02-CV-3080-JTC, and in the case of Clear-Lam Packaging vs. Rock-Tenn Company, Civil Action No. 1:03-CV-2706-JTD <b>FILED UNDER SEAL</b>	
	16.	The United States District Court for the Northern District of Georgia Atlanta Division, "Declaration of Colleen Staton" given May 17, 2004 in the case of Rock-Tenn Company vs. Cryovac, Inc., C&M Fine Pack, Inc., and Anchor Packaging, Inc. Civil Action Nos. 1:02-CV-2437-JTC, 1:02-CV-2438-JTC, and 1:02-CV-3080-JTC, and in the case of Clear-Lam Packaging vs. Rock-Tenn Company, Civil Action No. 1:03-CV-2706-JTD <b>FILED UNDER SEAL</b>	
	17.	The United States District Court for the Northern District of Georgia Atlanta Division, "Declaration of Kenneth W. McMillin" given May 17, 2004 in the case of Rock-Tenn Company vs. Cryovac, Inc., C&M Fine Pack, Inc., and Anchor Packaging, Inc. Civil Action Nos. 1:02-CV-2437-JTC, 1:02-CV-2438-JTC, and 1:02-CV-3080-JTC, and in the case of Clear-Lam Packaging vs. Rock-Tenn Company, Civil Action No. 1:03-CV-2706-JTD	
	18.	The United States District Court for the Northern District of Georgia Atlanta Division, "Declaration of Lynne A. Borchers" given May 19, 2004 in the case of Rock-Tenn Company vs. Cryovac, Inc., C&M Fine Pack, Inc., and Anchor Packaging, Inc. Civil Action Nos. 1:02-CV-2437-JTC, 1:02-CV-2438-JTC, and 1:02-CV-3080-JTC, and in the case of Clear-Lam Packaging vs. Rock-Tenn Company, Civil Action No. 1:03-CV-2706-JTD <b>FILED UNDER SEAL</b>	
	19.	The United States District Court for the Northern District of Georgia Atlanta Division, "Defendant's Reply Brief in Support of Their Motion for Summary Judgment of Patent Invalidity and in response to	

Examiner Signature		Date Considered	
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				Group Art Unit	3651
				Examiner Name	Khoi H. Tran
Sheet	3	of	3	Attorney Docket Number	9353.8RE

		Rock-Tenn's Claim Construction" submitted June 21, 2004 in the case of Rock-Tenn Company vs. Cryovac, Inc., C&M Fine Pack, Inc., and Anchor Packaging, Inc. Civil Action Nos. 1:02-CV-2437-JTC, 1:02-CV-2438-JTC, and 1:02-CV-3080-JTC, and in the case of Clear-Lam Packaging vs. Rock-Tenn Company, Civil Action No. 1:03-CV-2706-JTD	
	20.	The United States District Court for the Northern District of Georgia Atlanta Division, "Defendants' Reply in Support of Their Statement of Undisputed Facts" given June 21, 2004 in the case of Rock-Tenn Company vs. Cryovac, Inc., C&M Fine Pack, Inc., and Anchor Packaging, Inc. Civil Action Nos. 1:02-CV-2437-JTC, 1:02-CV-2438-JTC, and 1:02-CV-3080-JTC, and in the case of Clear-Lam Packaging vs. Rock-Tenn Company, Civil Action No. 1:03-CV-2706-JTD <b>FILED UNDER SEAL</b>	
	21.	The United States District Court for the Northern District of Georgia Atlanta Division, "Declaration of Matthew J. Urbanawiz Submitted in Support of Defendants' Statement of Undisputed Facts" given June 21, 2004 in the case of Rock-Tenn Company vs. Cryovac, Inc., C&M Fine Pack, Inc., and Anchor Packaging, Inc. Civil Action Nos. 1:02-CV-2437-JTC, 1:02-CV-2438-JTC, and 1:02-CV-3080-JTC, and in the case of Clear-Lam Packaging vs. Rock-Tenn Company, Civil Action No. 1:03-CV-2706-JTD <b>FILED UNDER SEAL</b>	
	22.	The United States District Court for the Northern District of Georgia Atlanta Division, "Declaration of Matthew J. Urbanawiz Submitted in Support of Defendants' Claim Construction" given May 21, 2004 in the case of Rock-Tenn Company vs. Cryovac, Inc., C&M Fine Pack, Inc., and Anchor Packaging, Inc. Civil Action Nos. 1:02-CV-2437-JTC, 1:02-CV-2438-JTC, and 1:02-CV-3080-JTC, and in the case of Clear-Lam Packaging vs. Rock-Tenn Company, Civil Action No. 1:03-CV-2706-JTD <b>FILED UNDER SEAL</b>	

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